

FILED

AUG 6 - 2008

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

1 MICHAEL COSENTINO, SBN 83253
Attorney at Law
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Alameda, CA 94501
3 Telephone: (510) 523-4702
4 Attorney for Plaintiff
United States of America
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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA

NO. CV 08 3087

11 Plaintiff,

DECLARATION FOR
JUDGMENT ON DEFAULT

12 v.

13 STEPHANIE R. BOLDEN

Defendant.
14 _____/

15 I, MICHAEL COSENTINO, declare:

16 1. I am the attorney for the plaintiff in the above-entitled action.

17 2. This declaration is made on behalf of plaintiff.

18 3. From the files and records and other information in this case, declarant is
19 informed and believes that the defendant's place of residence is at 436-14 STREET, STE.
20 728, OAKLAND, CA 94612.

21 4. Defendant is not an infant or incompetent person and not in the military service of
22 the United States within the meaning of the Soldiers' and Sailors' Civil Relief Act of 1940,
23 as amended, or otherwise entitled to the benefits of said Act.

24 5. Subsequent to the date of the Certificate of Indebtedness, a copy of which is
25 attached hereto and made a part hereof as Exhibit A, \$0 in payments have been made to
26 the account; there is now due and owing to the plaintiff from the defendant the sum of
27 \$21,230.92 principal, plus \$27,827.58 additional interest, \$0 administrative costs, \$55.00
28 court costs, and \$7,076.26 as attorney fees.

1 WHEREFORE, declarant requests that judgment be entered on behalf of the plaintiff
2 and against the defendant in the sum of \$56,189.76 plus post judgment interest at the legal
3 rate per annum, pursuant to the provisions of 28 USC Sec. 1961(a), which will be
4 compounded annually pursuant to the provisions of 28 USC Sec. 1961(b).

5 I declare under penalty of perjury that the foregoing is true and accurate to the best
6 of my knowledge, information and belief.

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8 Dated: August 5, 2008



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26 MICHAEL COSENTINO
Attorney for the Plaintiff

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DECLARATION FOR JUDGMENT OF DEFAULT

U. S. DEPARTMENT OF EDUCATION
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS #1 OF 1

Stephanie R. Bolden
1440 Broadway, Suite 802
Oakland, CA. 94612-2027
Account No. 1227

I certify that Department of Education records show that the borrower named above is indebted to the United States in the amount stated below plus additional interest from 09/06/07.

On or about 09/26/79, 05/06/80, 07/23/81 and 08/05/82, the borrower executed promissory note(s) to secure loan(s) of \$5,000.00, \$5,000.00, \$5,000.00 and \$5,000.00 from The Chase Manhattan Bank, N.A., New Hyde Park, NY. at 7.00 percent interest per annum. This loan obligation was guaranteed by United Student Aid Funds, Inc., and then reinsured by the Department of Education under loan guaranty programs authorized under Title IV-B of the Higher Education Act of 1965, as amended, 20 U.S.C. 1071 et seq. (34 C.F.R. Part 682). The holder demanded payment according to the terms of the note, and credited \$0.00 to the outstanding principal owed on the loan. The borrower defaulted on the obligation on 03/20/86, and the holder filed a claim on the loan guarantee.

Due to this default, the guaranty agency paid a claim in the amount of \$21,230.92 to the holder. The guarantor was then reimbursed for that claim payment by the Department under its reinsurance agreement. Pursuant to 34 C.F.R. § 682.410(b)(4), once the guarantor pays on a default claim, the entire amount paid becomes due to the guarantor as principal. The guarantor attempted to collect this debt from the borrower. The guarantor was unable to collect the full amount due, and on 07/29/04, assigned its right and title to the loan to the Department.

Since assignment of the loan, the Department has credited a total of \$0.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the borrower now owes the United States the following:

| | |
|----------------------------|-------------|
| Principal: | \$21,230.92 |
| Interest: | \$26,480.41 |
| Total debt as of 09/06/07: | \$47,711.33 |

Interest accrues on the principal shown here at the rate of \$4.07 per day.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 10/23/07



Alberto Francisco
Loan Analyst
Litigation Support

EXHIBIT A